

10/588524

IAP11 Rec'd PCT/PTO 07 AUG 2006

MAIL STOP - PCT

Attorney Docket No.: 27588U

Date: August 7, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

GERBER, et al.

Application No.: Not Yet Assigned

Filed: August 7, 2006

Intl. Application No.: PCT/EP2005/000159

Intl. Filing Date: January 11, 2005

Title: **FOLDABLE SPECTACLES, SPECTACLE CASE AND ARRANGEMENT OF
FOLDABLE SPECTACLES IN THE FOLDABLE CASE**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

- a. ☒ The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- b. ☐ The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.
The enclosed statement is accompanied by [check one]:
☐ i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or
☐ ii. a check in the amount required by 37 C.F.R. 1.17(p).
- c. ☐ The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.
☐ Certification report(e) below; and
☐ a check in the amount as required by 1.17(p).

10/588524

IAP11 Rec'd PCT/PTO 07 AUG 2006

MAIL STOP - PCT
Attorney Docket No.: 27588U
Application No.: Not Yet Assigned
Page 2

d. ☐ The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

e. Certification [Check one] [Certification is required only if box (b) (i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,
or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

f. ☒ If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

g. ☒ Copies of the documents are attached herewith with a completed Form PTO-1449.

or

☐ Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

☒ Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next

10/588524
IAP11 Rec'd PCT/PTO 07 AUG 2006

MAIL STOP - PCT
Attorney Docket No.: 27588U
Application No.: Not Yet Assigned
Page 3

communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By: 

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10/588524
IAP11 Rec'd PCT/PTO 07 AUG 2006

Page 1 of 1

MAIL STOP - PCT
Attorney Docket: 27588U

FORM PTO-1449 <u>INFORMATION DISCLOSURE</u> <u>CITATION</u>	In re Application of: GERBER, et al.	
	Application No: Not Yet Assigned	Filing Date: August ____, 2006
	Intl. Application No.: PCT/EP2005/000159	Intl. Filing Date: January 11, 2005

U.S. PATENT DOCUMENTS					
Examiner Initial		Document Number	Issue / Publication Date	Inventor	Filed
	A1	4,840,476	June 20, 1989	Rooney	December 31, 1987
	A2	4,720,186	January 19, 1988	Douillard	November 27, 1985
	A3	5,896,185	April 20, 1999	Huang	June 23, 1997
	A4	6,315,408	November 13, 2001	Huang	October 11, 2000
	A5				
	A6				
	A7				
	A8				
	A9				
	A10				

FOREIGN PATENT DOCUMENTS					
Examiner Initial		Document Number	Publication Date	Country	Translation
	A11	297 12 271 U1	October 23, 1997	DE	Abstract
	A12				
	A13				
	A14				
	A15				
	A16				
	A17				
	A18				
	A19				
	A20				
	A21				
	A22				

Examiner	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.